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May 28, 2024

BY ECF

Hon. Louis L. Stanton
United States District Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *Mullen Auto. Inc., et al. v. IMC Fin. Mkts., et al.*, 23-cv-10637-LLS

Dear Judge Stanton:

We are attorneys for Plaintiffs in the above-referenced action. Pursuant to Section 2(A) of the Court's Individual Practices, we respectfully submit this request for a pre-motion conference prior to making a motion to withdraw as counsel for Plaintiffs in this matter pursuant to Local Civil Rule 1.4.

The basis for the anticipated motion is that Plaintiffs and Warshaw Burstein, LLP ("Warshaw") have fundamental differences and disagreements concerning how to litigate Plaintiffs' case. Consistent with the attorney-client privilege and our professional and ethical obligations to Plaintiffs, we are not permitted to provide specific facts or additional information concerning the nature and scope of our disagreements in a public filing, but if required we are prepared to discuss this matter further with the Court *in camera* or through a declaration filed under seal.

We have tried in good faith to resolve our disagreements with Plaintiffs, but it has become apparent that these differences are irreconcilable and that we therefore cannot continue to represent Plaintiffs in this matter. In addition to these irreconcilable differences, Plaintiffs are not current on the invoices we have submitted for our services. Pursuant to Local Civil Rule 1.4, Warshaw is not asserting a retaining or charging lien in this matter.

An order permitting Warshaw to withdraw as counsel will not prejudice Plaintiffs, who continue to be represented in this matter by our co-counsel, Christian Attar Law Group, LLC.

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Christian Attar has stated that they do not seek to withdraw and will continue to represent Plaintiffs in this action.

We have discussed this matter with counsel for defendant IMC, who advises us that they will not oppose Warshaw's motion to withdraw as counsel for Plaintiffs.

Accordingly, we respectfully request a pre-motion conference with the Court to discuss the anticipated motion. Consistent with Local Civil Rule 1.4, we have provided a copy of this letter to Plaintiffs by electronic mail.

Respectfully submitted,

/s/ Alan M. Pollack

Alan M. Pollack

cc: Mullen Automotive, Inc.
Hyon Chá
Shayan Khorrami
(all by electronic mail)
All Counsel of Record (by ECF)